

AO 240A

UNITED STATES DISTRICT COURT

District of New Jersey

HENRY ORTIZ,

Plaintiff

V.

REGINA SCHMIDT

Defendant

**ORDER ON APPLICATION
TO PROCEED WITHOUT
PREPAYMENT OF FEES**

Case Number: 10-5140(DRD)

Having considered the application to proceed without prepayment of fees under 28 U.S.C. § 1915;

IT IS ORDERED that the application is:

☐ **GRANTED**, and

☐ The clerk is directed to file the complaint, and

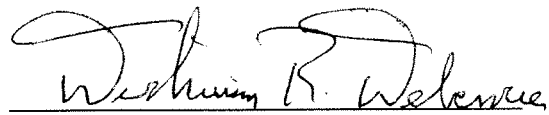
☐ **IT IS FURTHER ORDERED** that the clerk issue summons and the United States Marshal serve a copy of the complaint, summons and this order upon the defendant(s) as directed by the plaintiff. All costs of service shall be advanced by the United States.

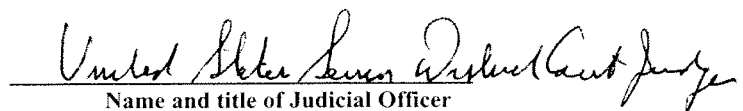
☒ **DENIED**, for the following reasons: *Diversity jurisdiction is lacking, as Plaintiff is a citizen of New Jersey and Defendant Margaret A. Schmidt is a citizen of New Jersey. Also no federal question is at issue as the Court lacks the power to interfere in State Court proceedings or hear appeals from State Court rulings.*

☒ and the Clerk is directed to close the file.

Plaintiff may submit a filing fee of \$350.00 within 30 days from the date of this order to reopen the case.

ENTER this 8th day of Oct, 2010


Signature of Judicial Officer


Name and title of Judicial Officer